

SENATE JOINT RESOLUTION 357

By Kyle

A RESOLUTION to create a special joint committee to study the theft of scrap metal and methods by which such thefts may be better deterred through increased documentation at the point of sale.

WHEREAS, recent increases in the price of certain metals such as copper and bronze have given rise to an appreciable increase in the instances of theft of such metals, even after the metal has been installed for its final use; and

WHEREAS, the theft of precious metal has become so prevalent that there are reports of hundreds of bronze vases being stolen from cemeteries, as well as used and new catalytic converters being stolen from motor vehicles and stainless steel beer kegs being stolen from business establishments; and

WHEREAS, the General Assembly has received reports of entire new residential subdivisions being stripped of all the copper wiring and pipe in a weekend, as well as commercial air conditioning systems being destroyed for the scrap metals contained therein; and

WHEREAS, the value of the metal stolen is relatively small when compared to the staggering costs of replacing the equipment that was destroyed in order to retrieve the metal; and

WHEREAS, it is the duty of this General Assembly, with the help of those in the scrap metal industry and law enforcement, to devise a law that will deter the costly theft of these metals by putting the thief on notice that certain documentation will be required before stolen scrap metal can be sold to a scrap metal dealer; and

WHEREAS, a study committee involving all of the interested parties is the best and most efficient way to reach agreement as to the best method to deter this rapidly growing crime while not unduly burdening a legitimate and necessary industry; now, therefore,

BE IT RESOLVED BY THE SENATE OF THE ONE HUNDRED FIFTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE HOUSE OF REPRESENTATIVES CONCURRING, that there is hereby created a special joint committee to study the issue of the theft of certain precious metals, such as copper, for scrap and to draft legislation to address the societal problems resulting from this increasing category of theft.

BE IT FURTHER RESOLVED, that in the course of such study, the special joint committee shall examine the processes, both legislative and administrative, that other states have used to address the issue of precious metal theft. The special joint committee shall also consider legislation filed by members of the One Hundred Fifth General Assembly to address the issue, including, but not limited to, Senate Bill 345/House Bill 146, Senate Bill 833/House Bill 449, Senate Bill 1009/House Bill 209, Senate Bill 1038/House Bill 902, and Senate Bill 1445/House Bill 314.

BE IT FURTHER RESOLVED, that the special joint committee shall consist of the following eleven (11) members:

Two (2) members of the Judiciary Committee of the House of Representatives, to be appointed by the Speaker of the House;

One (1) member of the Consumer and Employee Affairs Committee of the House of Representatives, to be appointed by the Speaker of the House;

Two (2) members of the Commerce, Labor and Agriculture Committee of the Senate, to be appointed by the Speaker of the Senate;

One (1) member of the Judiciary Committee of the Senate, to be appointed by the Speaker of the Senate;

One (1) member who is engaged in business as a metal recycler or scrap metal dealer in one (1) of the State's four (4) most populous metropolitan areas, to be appointed jointly by the Speaker of the Senate and the Speaker of the House;

One (1) member who is engaged in business as a metal recycler or scrap metal dealer in a Tennessee county having a population of less than seventy-five thousand (75,000) according to the 2000 federal census of population, to be appointed jointly by the Speaker of the Senate and the Speaker of the House;

One (1) member representing the Tennessee District Attorneys General Conference, to be appointed jointly by the Speaker of the Senate and the Speaker of the House;

One (1) member representing Tennessee's law enforcement community, to be appointed jointly by the Speaker of the Senate and the Speaker of the House; and

One (1) member representing Tennessee's electric cooperatives, to be appointed jointly by the Speaker of the Senate and the Speaker of the House.

BE IT FURTHER RESOLVED, that all appropriate state agencies shall provide assistance to the special joint committee upon request of the chair.

BE IT FURTHER RESOLVED, that all legislative members of the special joint committee who are duly elected members of the General Assembly shall remain members of such committee until the committee reports its findings and recommendations to the General Assembly. Non-legislative members of the committee shall serve without compensation.

BE IT FURTHER RESOLVED, that the special joint committee shall be convened by the member with the most years of continuous service in the General Assembly, and at its first meeting shall elect from among its legislative membership a chair, vice-chair, and such other officers the committee deems necessary.

BE IT FURTHER RESOLVED, that the special joint committee shall timely report its findings and recommendations, including any proposed legislation, to the One Hundred Fifth General Assembly no later than February 1, 2008, at which time the committee shall cease to exist.